

This section held to have no application, the appeal being from a court of equity. *Cross v. Hecker*, 75 Md. 575.

Formerly no appeal lay from the action of the insolvent court. *Carter v. Dennison*, 7 Gill, 170; *Williams v. Williams*, 5 Gill, 89.

For a case apparently no longer applicable to this section by reason of changes in the law, see *Baylies v. Ellicott*, 9 Gill, 455.

See art. 5, secs. 8 and 9.

An. Code, sec. 32. 1904, sec. 32. 1888, sec. 32. 1830, ch. 145. 1854, ch. 193, sec. 21.

32. This article is not to apply to fines and forfeitures for violating the laws of this State or the ordinances of any municipal corporation, but any person imprisoned for thirty days for not paying a fine or forfeiture not exceeding fifty dollars or for sixty days when the fine exceeds fifty dollars may petition and be released from such fines as if they were common debts.

An. Code, sec. 33. 1904, sec. 33. 1888, sec. 33. 1854, ch. 193, sec. 22. 1888, ch. 232.

33. The provisions of this article shall not be construed to apply to or in any manner release, discharge or affect any judgment recovered by civil action for injuries occasioned by the seduction of any female nor to apply to or in any manner release, discharge or affect any judgment recovered by civil action for damages for defaming any female.

As to slander of females, see art. 88.

An. Code, sec. 34. 1904, sec. 34. 1894, ch. 568, sec. 33A.

34. The provisions of this article shall not be construed to apply to or in any manner affect or impair any *bona fide* deed or conveyance by whomsoever made which may be executed and recorded after the 6th day of April, 1894, and which by its terms conveys all the property and estate of the grantor or grantors therein to a trustee or trustees therein named in trust for the equal benefit of all the creditors of said grantor or grantors without preference or priority save as sanctioned by this article, although the grantor or grantors in said deed of conveyance may apply for the benefit of or be proceeded against under the provisions of this article after the execution and recording of such deed or conveyance, and notwithstanding such grantor or grantors may apply to be proceeded against under the provisions of this article, the trustee or trustees named in such deed or conveyance may lawfully and without any interference of, or claim by or upon the part of, the preliminary or permanent trustee in insolvency of such grantor or grantors proceed to fully administer the trusts created by such deed or conveyance and distribute the property and estate passing thereunder, or the proceeds thereof, to the persons entitled thereto under the supervision of the equity court having jurisdiction over the same.

This section recognizes right of creditor to proceed under insolvent law after the recording of the deed of trust. The conventional trustee has no power to set aside a deed made by a grantor prior to deed of trust, in fraud of rights of creditors, but insolvent trustee has such right. *Gardner v. Gambrill*, 86 Md. 662.

Where a merchant commits acts of insolvency, a subsequent assignment for benefit of creditors has no effect against insolvent trustee. *Willison v. Frostburg Bank*, 80 Md. 213 (this section not applicable).

A deed for the benefit of creditors does not require an affidavit by grantee that consideration is true and *bona fide*. *Mackintosh v. Corner*, 33 Md. 606.